

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mr. Thomas Hunter on 11-17-09.

The application has been amended as follows:

IN THE CLAIMS

In Claim 1, lines 1-2, change "An additive for a non-aqueous electrolyte of a secondary battery characterized by" to -- A non-aqueous electrolyte of a secondary battery comprising an additive characterized by--.

In Claim 4, line 1, change the status identifier "Withdrawn" to --Currently Amended--.

In Claim 4, line 1, change "An additive for a non-aqueous electrolyte of a secondary battery" to -- A non-aqueous electrolyte of a secondary battery--.

In Claim 5, lines 1-2, change "An additive for a non-aqueous electrolyte of a secondary battery" to -- A non-aqueous electrolyte of a secondary battery--.

2. The following is an examiner's statement of reasons for allowance:

Claims 1, 4-10 are allowable over the prior art of record because no reference was found where a non-aqueous electrolyte of a secondary battery or a non-aqueous electrolyte secondary battery comprising additive which comprises a phosphazene derivative represented by formula (I) where at least one of the R¹'s in the formula (I) is fluorine which is connected directly to the P and the other two R¹'s are a halogen element or a monovalent substituent.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to /Laura S. Weiner/ whose telephone number is 571-272-1294. The examiner can normally be reached on M-F (6:30-4:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Patrick Ryan can be reached on 571-272-1292. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 1795

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Laura S Weiner/
Primary Examiner
Art Unit 1795

November 18, 2009